
Qatar - Tier 2

Qatar is a destination country for men and women subjected to forced labor and, to a lesser extent, forced prostitution. Men and women from Nepal, India, Pakistan, Bangladesh, the Philippines, Indonesia, Vietnam, Sri Lanka, Ethiopia, Sudan, Thailand, Egypt, Syria, Jordan, and China voluntarily migrate to Qatar as low-skilled laborers and domestic servants, but some subsequently face conditions of involuntary servitude. These conditions include threats of serious physical or financial harm; withholding of pay; charging workers for benefits for which the employer is responsible; restrictions on freedom of movement, including the confiscation of passports, travel documents, and the withholding of exit permits; arbitrary detention; threats of legal action and deportation; threats of filing false charges against the worker; and physical, mental, and sexual abuse. In some cases, arriving migrant workers have found that the terms of employment in Qatar are different from those they agreed to in their home countries; businesses and individuals in Qatar reportedly promised migrants employment opportunities that never materialized. Many migrant workers arriving for work in Qatar have paid exorbitant fees to recruiters in their home countries - a practice that makes workers highly vulnerable to forced labor once in Qatar. In limited cases, Qatar is also a destination for women who migrate for legitimate purposes and subsequently become involved in prostitution, but the extent to which these women are subjected to forced prostitution is unknown. Some of these victims may be runaway domestic workers who have fallen prey to forced prostitution by individuals who exploit their illegal status.

The Government of Qatar does not fully comply with the minimum standards for the elimination of trafficking, but is making significant efforts to do so. The government demonstrated evidence of increasing efforts to address human trafficking over the year, particularly through the passage of an anti-trafficking law that prohibits all forms of trafficking and prescribes sufficiently stringent penalties, as well as improved identification of trafficking victims. Furthermore, in late 2010, the Qatari government launched its "National Plan for Combating Human Trafficking for 2010-2015," which the government continues to implement with a budgetary commitment the equivalent to \$6,487,195 in 2011. The Qatari government also improved its protection measures to proactively identify victims of trafficking through implementation of a national referral mechanism. Nonetheless, the government has yet to demonstrate increased action to investigate, prosecute, and punish trafficking offenders for forced labor and forced prostitution.

Recommendations for Qatar: Implement the new anti-trafficking legislation by increasing efforts to investigate, prosecute, convict, and punish trafficking offenses under the law; collect, disaggregate, analyze, and disseminate counter-trafficking law enforcement data; institute and consistently apply formal procedures to identify victims of trafficking among vulnerable groups, such as those arrested for immigration violations or prostitution; enforce the sponsorship law's

criminalization of passport-withholding and mandate employees receive residence cards within one week as a means of preventing trafficking abuses; abolish or significantly amend provisions of Qatar's sponsorship law to prevent the forced labor of migrant workers or implement other provisions that make up for the law's shortcomings; and continue implementation of the "National Plan for Combating Human Trafficking for 2010-2015."

Prosecution

The Government of Qatar made significant efforts to combat its human trafficking problem over the year. In October 2011, the government approved a comprehensive anti-trafficking law, Law No. 15, which prohibits all forms of trafficking and prescribes penalties of no more than seven years' imprisonment and up to the equivalent of \$82,000 in fines, with prescribed penalties of no more than 15 years' imprisonment under aggravating circumstances. These penalties are sufficiently stringent and commensurate with other serious crimes, such as kidnapping. Despite the passage of the new anti-trafficking law in 2011 and existing laws that could be used to punish trafficking offenders, the government did not report any clear efforts to investigate, prosecute, or punish trafficking offenses during the reporting period. Qatar also prohibits employers' withholding of workers' passports under the 2009 Sponsorship Law, though the law was not rigorously enforced during the reporting period. According to Qatar University's Social and Economic Survey Research Institute, a June 2011 study found that 91 percent of expatriate workers surrendered their passports to employers. During the reporting period, the Qatar Foundation to Combat Human Trafficking (QFCHT) - Qatar's national coordinating body for anti-trafficking activities - along with the Ministries of Interior and Justice, conducted a variety of anti-trafficking trainings targeting law enforcement personnel. The government did not report any investigations, prosecutions, convictions, or sentences of government personnel for complicity in trafficking offenses.

Protection

The Qatari government made progress in protecting victims of trafficking during the reporting period. Government personnel introduced systematic procedures to proactively identify victims of trafficking among vulnerable populations, such as foreign workers. The government acknowledged the existence of a labor trafficking problem in the country, yet some officials do not equate involuntary labor exploitation with human trafficking. Under provisions of Qatar's sponsorship law, sponsors have the unilateral power to cancel workers' residency permits, deny workers' ability to change employers, report a worker as a runaway to police authorities, and deny workers permission to leave the country. As a result, sponsors may restrict workers' movements and workers may be afraid to report abuses or claim their rights, which contribute to their forced labor situation. In addition, domestic servants are particularly vulnerable to trafficking since they are isolated inside homes and are not covered under the provisions of the labor law. Victims of trafficking were often punished for unlawful acts they committed as a direct result of being trafficked; specifically, Qatari authorities regularly arrested, detained, and deported potential trafficking victims for immigration violations and running away from their employers or sponsors, though Ministry of Interior officials interviewed all those sent to the

deportation center and are required to determine whether the workers were victims of trafficking and offer them protection. Victims occasionally languished in detention centers for up to six months when their employers failed to return their passports, failed to purchase them a plane ticket to their country of origin, or filed false charges of theft against them; the costs of legal representation under these circumstances are borne by the worker, but are often waived due to inability to pay.

During the reporting period, the QFCHT, in coordination with the Ministry of Public Health, conducted a workshop for medical staff and social workers on identifying human trafficking victims among the patients they serve. The QFCHT also distributed a manual to law enforcement, immigration authorities, and social service providers on how to proactively identify victims of trafficking. Additionally, in 2011, the government established a national victim referral system to coordinate victim identification and referral efforts between government authorities and non-government organizations; however, it is unclear how effective this newly-established system was at the end of the reporting period. The government's trafficking shelter, operated by the QFCHT, reported assisting 451 migrant workers and 33 victims of trafficking in 2011; government officials, including police, public prosecutors, and other government ministry officials, referred 51 of these cases to the QFCHT. Unlike previous years, trafficking victims were able to access the shelter even if their employers had filed charges against them. Victims have the right to leave the shelter without supervision. While migrant workers identified as trafficking victims could receive legal assistance from shelter authorities, some employers and sponsors threatened victims in an attempt to keep them from seeking legal redress. The 72,000 foreign workers in domestic service in Qatar remained unprotected by Qatari labor law, and therefore faced difficulties seeking legal redress for abuses through civil court action. Civil suits could only be filed for a sponsor's failure to meet his/her financial obligations to the domestic worker; in practice, civil suits were rare, but have increased in number. The Qatari government sometimes offered temporary relief from deportation to enable identified victims to testify as witnesses against their employers, though it did not offer most foreign trafficking victims legal alternatives to their removal to countries where they may face retribution or hardship.

Prevention

Qatar made limited progress in preventing trafficking in persons during the reporting period. The government did not reform Qatar's migrant worker sponsorship law, which contributes to conditions of forced labor in the country by allowing sponsors to restrict workers' movements. The government reported that it routinely inspected and monitored recruitment companies and actively sought to punish companies that were found making fraudulent offers or imposing exorbitant fees in selling visas. In October 2011, the government reported convicting and fining a sponsor the equivalent of \$220,000 on multiple counts of visa-selling, which is prohibited under Qatari immigration law with punishment up to three years' imprisonment or fines equivalent to \$13,736 per violation. The government did not, however, systematically investigate companies to prevent passport withholding, exacerbating migrants' vulnerability to trafficking; employers often made their employees sign waivers allowing them to hold

passports. Although the sponsorship law requires an employer to secure a residence card for laborers within seven days, reports indicated that this sometimes does not happen; this restricts migrant workers' mobility and impedes their ability to access health care or lodge complaints at the labor department. In an effort to reduce the demand for commercial sex acts and prevent child sex tourism of Qataris traveling abroad, the government publicly called for adherence with Islamic principles in an effort to reduce the demand for commercial sex acts.